

File

Personnel 2

Guidelines on Dismissal Policy During Emergency Situations Caused by Fuel Shortage

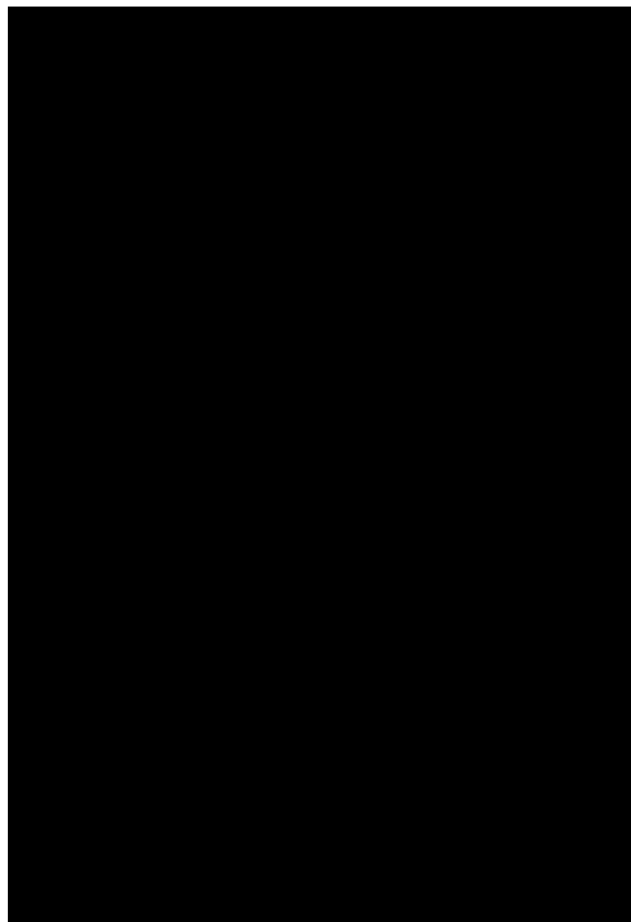
John F. Blake
Deputy Director for Administration

DDA 77-0638

7 February 1977

STATINTL

Attached are papers received by the Agency from the Office of Management and Budget relating to the fuel shortage. These are provided for your information and the contents to be known to your employees.



STATINTL

Approved For Release 2002/01/10 : CIA-RDP80-00473A000500040004-3

Approved For Release 2002/01/10 : CIA-RDP80-00473A000500040004-3



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 1, 1977

MEMORANDUM FOR: ASSISTANT SECRETARY OF ADMINISTRATION
OR EQUIVALENT

Subject: Memorandum Transmitted to Field Officials on Civil
Service Commission and General Service Administration
Guidelines on Dismissal Policy During Emergency
Situations Caused by Fuel Shortage

Attached for your information is a copy of a memorandum we have forwarded to the Federal Executive Boards and Federal Executive Associations in 128 cities communicating President Carter's directive that temperatures be lowered in federally-operated facilities. The memorandum also reiterates existing GSA and CSC guidance and regulations on building management and employee dismissal during emergency situations such as those currently caused by fuel shortage. The GSA and CSC guidance does not promulgate new policy, but transmits the pertinent existing laws and regulations to be followed by Federal agencies in such emergency situations.

The OMB memorandum asks the Federal family in a local area to coordinate their dismissal policies in a consistent manner within the metropolitan area where they are located. This was necessary because we have had recent instances of Federal agencies announcing contradictory dismissal policies when located in the same city, or even worse, in the same building. CSC and GSA have asked us to assist in reinforcing their guidelines and regulations to the Federal field officials and to make this appeal for coordination of the guidelines at the local level.

The President has expressed his concern that maximum coordination and decisionmaking occur among Federal agencies in addressing the current crisis caused by energy shortage.

You may receive inquiries from field offices concerning the content of this memorandum. It is hoped that you will give support to specific instances where your field officials request your concurrence on a decision that would be the result of such coordination in their local area.

If you have questions on this matter, please contact me, or
Dick Feezle, Chief, Field Operations, phone: 395-3477.

Vince
Vincent Puritano
Deputy Associate Director
for Intergovernmental Relations
and Regional Operations

Attachment

STATINTL

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att: DDA 76-0638



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

January 31, 1977

MEMORANDUM FOR FEDERAL EXECUTIVE BOARD CHAIRPERSONS
FEDERAL EXECUTIVE ASSOCIATION CHAIRPERSONS

SUBJECT: Civil Service Commission and General Service Administration Guidelines on Dismissal Policy During Emergency Situations Caused by Fuel Shortage

The unusually cold winter which is being experienced in many parts of the country is creating severe fuel shortages in some areas and hardships in others. In view of this shortage of fuels, President Carter has directed that the maximum temperature in buildings owned or leased by executive departments or establishments shall be 65° during working hours and 55° during non-working hours.

The only exception to this policy should be of the type described in Chapter 34, United States Code of Federal Regulations, Paragraph 232.9, Appendix C, Section 5. "The protection and operation of certain specialized equipment; e.g., computers, for maintaining the health and efficiency of employees, and for certain installations of high specialization; e.g. Greenhouses, hospitals, guard stations, and laboratories. Such exceptions may be granted only after consultation with appropriate technical personnel of the unit requesting the exception and the presentation of necessary supporting evidence. Exceptions will be granted by the official responsible for the operation and maintenance of the facility and must be concurred in by the Agency's energy conservation coordinator."

In some major areas of the country, GSA informs us that some Federal buildings need to be either closed or temperatures set below the 65° maximum setting due to lack of fuel or at the request of the local utility companies to conserve critical fuel.

The GSA Regional Administrator will be responsible for the notification of local agency heads, including the FEB and FEA Chairpersons in their region, of the extent and duration of temperature cutbacks in GSA operated or leased facilities.

For GSA operated buildings, other than warehouse or storage type buildings, where temperatures have to be reduced below 55° during working hours, GSA will suggest that employees not remain at work. Authority to act in this event rests with the

individual agency head and should be taken under the guidance provided in the enclosure to this memorandum prepared by the Civil Service Commission. Such actions should also be coordinated to the maximum extent as described in this memorandum.

However, when GSA considers temperatures below 55° to be approaching an emergency situation, GSA may choose to close the building for the duration of the emergency, because of the need to conserve fuel to avoid such potentially hazardous conditions as freezing pipes, inoperative sprinkler systems, etc. If a GSA operated or leased building is closed, agency heads who require employees to work because of a critical function, must obtain approval from GSA for those employees to be admitted to the building.

The Civil Service Commission is aware of the possible impact on Federal employees and agency operations. Agency management should assure themselves that the interests and concerns of Federal employees are fully considered and that employees, through their union representatives, where appropriate, have the full opportunity to participate in decisions that will affect them on the job, e.g. dismissal of employees, adjustment of working hours, etc.

CSC has summarized the leave and pay treatment functions of the Federal Personnel System that are particularly relevant when Federal offices or facilities are curtailed under these types of circumstances. A copy of that summary is also enclosed, CSC Bulletin 610-27 dated January 31, 1977.

It is important that maximum coordination of decisionmaking at the regional and local level occur among Federal agencies. It is the responsibility of each individual agency to seek consistent Federal action in a given locale in applying the above policy and procedures.

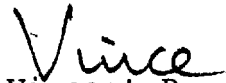
Because of the importance of this coordination, FEB Chairpersons should take the lead, with support from the Federal Regional Council Chairmen and the Federal Executive Association Chairpersons where appropriate and useful, to disseminate this policy throughout Federal departments and agencies. Furthermore, I would suggest, where needed, that you may want to immediately convene the FEB Board, or Association, the policy committee, or committee on employee dismissal or any other appropriate Federal interagency forum in your geographic area to accomplish, at a minimum, the following:

- A full and complete understanding of the enclosed Federal policies, in general, and how they might be applied within your local area, given current and forecasted energy availability conditions;

- Any immediate amendments or adjuncts to your employee dismissal plan or energy conservation program necessary to implement these enclosed policies and procedures.
- An assessment of your FEB readiness to carry out not only the above policies and procedures, but including a determination of how the FEBs will work with appropriate FEAs in close proximity to your FEB within the same region.
- FEB Chairpersons should inform those Federal agencies who operate their own facilities (DOD, USDA, VA, etc.) of these guidelines and suggest that they may want to implement similar procedures.

In summary, this is an unprecedented situation facing the Nation. Maximum coordination of decisionmaking is imperative to ensure consistent and responsible Federal action.

Finally, if you have any problems or questions which cannot be addressed by the regional CSC and GSA offices, contact Dick Feezle, Chief, Field Operations Branch, phone 202-395-3477, Naomi Mitchell, FEB Secretariat, phone 202-395-4554, or OMB FEB reps as appropriate.


Vincent Puritano
Deputy Associate Director
for Intergovernmental Relations
and Regional Operations

Enclosure

Attachment A

Summary of General Services Administration Actions

Attachment consists of copies of the following:


- ° January 21, 1977 Memorandum from James R. Schlesinger to the Director of OMB requesting the Director of OMB to notify the Administrator of GSA of the President's Directive to lower building temperatures.
- ° January 22, 1977 Memorandum from the Director of OMB, Bert Lance to the Administrator of GSA, transmitting the Schlesinger memorandum.
- ° January 24, 1977 telegraphic message from the Administrator of GSA to Heads of Executive Departments and Establishments, notifying them of the President's Directive.
- ° January 24, 1977 telegraphic message to all Regional Administrators, GSA, information copy to all Regional Commissions PBS, GSA concerning the President's Directive.
- ° January 24, 1977 GSA News Release concerning actions taken by GSA.

THE WHITE HOUSE

WASHINGTON

January 21, 1977

MEMORANDUM FOR: THE DIRECTOR
OFFICE OF MANAGEMENT AND BUDGET

FROM: JAMES R. SCHLESINGER 

SUBJECT: Heating of Federal Buildings

In view of the current shortage of fuels, the President has directed that, during the heating season, the maximum temperature in buildings owned or leased by Executive departments or establishments shall be 65° F. during working hours and 55° F. during nonworking hours.

Please notify the Administrator of the General Services Administration, and such other officials as may be appropriate, to take the requisite steps needed to comply with this directive.

The only exceptions to this policy should be of the type described at 34 C.F.R. 232.9, Appendix C, section 5, and should be granted only after the conditions set forth therein have been followed.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

January 22, 1977

MEMORANDUM FOR THE ADMINISTRATOR OF GENERAL SERVICES

FROM: Bert Lance, Director, Office of Management
and Budget

A handwritten signature in dark ink, appearing to read "B. Lance", is written over the typed name "Bert Lance".

SUBJECT: Heating of Public Buildings

In accordance with the enclosed memorandum from James R. Schlesinger, you are hereby notified of the President's directive concerning the heating of public buildings.

NAME OF AGENCY General Services Administration Office of Buildings Management Washington, DC		PRECEDENCE ACTION: INFO:	SECURITY CLASSIFICATION UNCLASSIFIED
ACCOUNTING CLASSIFICATION	DATE PREPARED 1/24/77	TYPE OF MESSAGE <input type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input checked="" type="checkbox"/> MULTIPLE-ADDRESS	
FOR INFORMATION CALL			
NAME John E. McCarthy	PHONE NUMBER 566-1563		
THIS SPACE FOR USE OF COMMUNICATION UNIT GOAD PMS			

MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)

TO: HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS JAN 24 1977

IN VIEW OF THE CURRENT SHORTAGE OF FUELS THE PRESIDENT HAS DIRECTED THAT, DURING THIS HEATING SEASON, THE MAXIMUM TEMPERATURE IN BUILDINGS OWNED OR LEASED BY EXECUTIVE DEPARTMENTS OR ESTABLISHMENTS SHALL BE 65° F DURING WORKING HOURS AND 55° F DURING NONWORKING HOURS.

THE ONLY EXCEPTION TO THIS POLICY SHOULD BE OF THE TYPE DESCRIBED IN 34 CFR 232.9, APPENDIX C, SECTION 5 AS QUOTE MAY BE NECESSARY FOR THE PROTECTION AND OPERATION OF CERTAIN SPECIALIZED EQUIPMENT; E.G., COMPUTERS, FOR MAINTAINING THE HEALTH AND EFFICIENCY OF EMPLOYEES, AND FOR CERTAIN INSTALLATIONS OF HIGH SPECIALIZATION; E.G., GREENHOUSES, HOSPITALS, GUARD STATIONS, AND LABORATORIES. SUCH EXCEPTIONS MAY BE GRANTED ONLY AFTER CONSULTATION WITH APPROPRIATE TECHNICAL PERSONNEL OF THE UNIT REQUESTING THE EXCEPTION AND THE PRESENTATION OF NECESSARY SUPPORTING EVIDENCE. EXCEPTIONS WILL BE GRANTED BY THE OFFICIAL RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE FACILITY AND MUST BE CONCURRED IN BY THE AGENCY'S ENERGY CONSERVATION COORDINATOR." UNQUOTE

Jack E. McCarthy

SECURITY CLASSIFICATION

NAME OF AGENCY General Services Administration Office of Buildings Management Washington, DC		PRECEDENCE ACTION PRIORITY INFO.	SECURITY CLASSIFICATION UNCLASSIFIED
ACCOUNTING CLASSIFICATION GOAO	DATE PREPARED 1/24/77	TYPE OF MESSAGE <input type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input checked="" type="checkbox"/> MULTIPLE-ADDRESS	
FOR INFORMATION CALL			
NAME John E. McCarthy	PHONE NUMBER 566-1563		
THIS SPACE FOR USE OF COMMUNICATION UNIT MX-2 WAF-147			
MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)			
<p>TO: ① ALL REGIONAL ADMINISTRATORS - GSA ② INFO COPY: ALL REGIONAL COMMISSIONERS - PBS GSA JAN 24 1977</p> <p>IN VIEW OF THE CURRENT SHORTAGE OF FUELS THE PRESIDENT HAS DIRECTED THAT, DURING THIS HEATING SEASON, THE MAXIMUM TEMPERATURE IN BUILDINGS OWNED OR LEASED BY EXECUTIVE DEPARTMENTS OR ESTABLISHMENTS SHALL BE 65° F DURING WORKING HOURS AND 55° F DURING NONWORKING HOURS.</p> <p>THE ONLY EXCEPTION TO THIS POLICY SHOULD BE OF THE TYPE DESCRIBED IN 34 CFR 232.9, APPENDIX C, SECTION 5 AS QUOTE MAY BE NECESSARY FOR THE PROTECTION AND OPERATION OF CERTAIN SPECIALIZED EQUIPMENT; E.G., COMPUTERS, FOR MAINTAINING THE HEALTH AND EFFICIENCY OF EMPLOYEES, AND FOR CERTAIN INSTALLATIONS OF HIGH SPECIALIZATION; E.G., GREENHOUSES, HOSPITALS, GUARD STATIONS, AND LABORATORIES. SUCH EXCEPTIONS MAY BE GRANTED ONLY AFTER CONSULTATION WITH APPROPRIATE TECHNICAL PERSONNEL OF THE UNIT REQUESTING THE EXCEPTION AND THE PRESENTATION OF NECESSARY SUPPORTING EVIDENCE. EXCEPTIONS WILL BE GRANTED BY THE OFFICIAL RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE FACILITY AND MUST BE CONCURRED IN BY THE AGENCY'S ENERGY CONSERVATION COORDINATOR. UNQUOTE</p>			
		SECURITY CLASSIFICATION	
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TELEGRAPHIC MESSAGE

NAME OF AGENCY		PRECEDENCE ACTION: INFO:	SECURITY CLASSIFICATION
ACCOUNTING CLASSIFICATION		DATE PREPARED	TYPE OF MESSAGE <input type="checkbox"/> SINGLE <input type="checkbox"/> BOOK <input type="checkbox"/> MULTIPLE-ADDRESS
FOR INFORMATION CALL			
NAME		PHONE NUMBER	
THIS SPACE FOR USE OF COMMUNICATION UNIT WAF-147			

MESSAGE TO BE TRANSMITTED (Use double spacing and all capital letters)

TO: YOU ARE HEREBY DIRECTED TO TAKE IMMEDIATE ACTION TO IMPLEMENT THIS TEMPERATURE CHANGE. OCCUPANTS SHOULD BE NOTIFIED OF THE REASON FOR THIS CHANGE. THIS MODIFIES MY CORRESPONDENCE OF JANUARY 19, 1977, AND IS IN CONFORMANCE WITH THE JANUARY 22, 1977, DIRECTIVE FROM THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET.

Jack Eckerd
JACK ECKERD
ADMINISTRATOR

GSA WASHDC

SECURITY CLASSIFICATION

PAGE NO. NO. OF PGS

January 24, 1977 #6729


News Release

The U.S. General Services Administration today ordered that federal buildings nationwide be heated to no more than 65 degrees to help alleviate the energy shortage due to the severe cold this winter.

The order, signed by GSA Administrator Jack Eckerd, implements a directive from President Carter affecting buildings owned or leased by executive departments. In non-working hours, temperatures will be maintained at no more than 55 degrees. Exceptions will be facilities such as hospitals, clinics, laboratories and computer operations where higher temperatures are required by the nature of the activity.

Eckerd, through a previous memorandum to his regional administrators, already had authorized the maintenance of temperatures at 65 in areas experiencing problems with electric and heating fuel supplies. Reductions below 65 had been authorized when essential as had the closing of federal buildings after appropriate consultations with local heads of other federal agencies. Today's direction is mandatory.

"We are cooperating fully with local and state governments in alleviating emergency situations," Eckerd said.

At the outset of the energy crisis in 1973, GSA initiated a policy of heating buildings to a range of 65 to 68 degrees. Today's directive removes that flexibility. The 65-68 policy, along with limiting summer cooling to 78-80 degrees and other measures, has brought about a 30 percent annual savings in energy.

"We know this directive of the President, when implemented, can conserve precious fuel," said Eckerd, "and we hope the private sector will help by lowering temperatures in commercial buildings and homes."

#

Attachment to Bulletin 610-27 (1)

The unusually cold Winter weather which has been experienced in many parts of the country this season is creating fuel shortages in some areas.

The Commission is aware that some agencies are already planning for appropriate actions in this connection. In making adjustments in agency operations, agency management should assure themselves that the interests and concerns of employees are fully considered, and that employees through their union representatives have the full opportunity to participate, as appropriate, in decisions that will affect them on the job. (For prior guidance on this matter, see CSC Bulletin 711-29, Technical Advice on Labor-Management Responsibilities in Implementing Federal Management Circular 74-1.) Any personnel actions must be effected in accordance with Commission regulations and policies. It is emphasized that the health and safety of employees in these emergency situations is a matter of prime concern to the Government.

Of course, we cannot anticipate the full range or possible combinations of situations which may arise in connection with the fuel shortage. Circumstances may dictate actions as simple as lowering the temperature level in a given building or as substantial as the closing of a Federal installation for a week or more.

Agencies in a given locality are urged to coordinate and cooperate in addressing such problems of mutual concern. This may be accomplished through such Federal interagency groups as Federal Executive Boards and the like.

There are a number of alternative courses of action which agencies may consider depending upon the severity and anticipated duration of any condition. This review of the available alternatives is intended to provide necessary information to assist agencies which are faced with an emergency situation. It should be emphasized that all of the alternatives presented below are already contained in existing law, regulation or FPM instructions.

There are basically two types of general situations which can arise.

I. Fuel Crisis of Limited Duration (Expected one-time occurrence).

Severe weather may create a physical impediment to delivering fuel, thus creating an immediate problem which is expected to be of short duration, i.e., 1 week or less. In this case, it is likely that a metropolitan area, or even an entire state may be similarly affected. A critical situation could lead to a decision by appropriate officials affecting Federal buildings. While some critical functions such as hospital operations must continue to operate there are many other functions and services which could be curtailed.

Where the emergency is expected to be of very limited duration, agencies may grant excused absences without charge to leave consistent with policies established for other short term emergencies e.g., snowstorm, flood, fire, etc. (See Appendix A, Chapter 610, FPM Supplement 990-2, Guidelines for Dismissal and Leave Treatment of Federal Employees During Emergency Situations.)

United States Civil Service Commission

CSC Bulletin 610-27

Bulletin

Bulletin No. 610-27

Washington, D. C. 20415

January 31, 1977

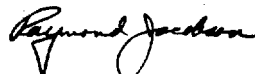
SUBJECT: Energy Conservation and Personnel Management

Action Date:

Heads of Departments and Independent Establishments:

The fuel shortage in many parts of the country is becoming increasingly critical as below normal temperatures continue. Federal buildings in a number of locations, as well as other installations in which the Government leases space, are also being affected by the fuel shortage. As a result, we have received a number of calls asking for guidance on personnel management actions as fuel supplies grow short or are temporarily exhausted.

The purpose of this Bulletin is to set forth, in summary fashion, the leave and pay treatment features of the Federal personnel system that are particularly relevant when Federal offices or facilities are curtailed, under appropriate authority, in order to conserve energy for future use, or when there is no alternative but to temporarily shutdown because of non-availability of fuel or power.



Raymond Jacobson
Executive Director

Attachment

Inquiries: Bureau of Policies and Standards, Pay and Leave Administration
Code 101, Extension 2-5604 or 632-5604

Code: 610, Hours of Duty

Distribution: FPM (advance edition limited)

Bulletin Expires: December 31, 1977

Attachment to Bulletin 610-27 (2)

II. Fuel Crisis of Indefinite Duration.

Where fuel supplies are dwindling rapidly due to high use levels brought on by extremely cold temperatures and delivery problems, it may be necessary to curtail operations by closing for some prolonged or regularly recurring period in order to conserve the fuel which remains.

Under such a situation, the use of excused absence is inappropriate. Other options which should be considered are as follows:

A. Maximum use of Details or Temporary Relocation.

Every effort should be made to keep those employees at installations which are affected at work. Towards this end, employees could possibly be detailed or relocated for useful work to other installations at which operating schedules have not been affected. (Availability of fuel and type of fuel used may allow some installations to continue normal or near normal operations while others cannot.) Cooperative arrangements among agencies are encouraged. It is recognized, however, that if an entire geographic area is being adversely affected detailing may not be possible.

B. Extended Work Day and use of Compensatory Time.

General Schedule employees may be granted compensatory time off where overtime worked is either irregular or occasional in nature. It should be noted, however, that in accordance with the provisions of section 5543 of title 5 U.S.C., employees whose rate of basic pay is at or below the maximum rate of GS-10 must voluntarily request compensatory time for it to be authorized. Under these emergency circumstances discussed herein, employees could be offered the opportunity to work two additional hours on each of 4 days with the overtime to be taken as compensatory time off on the fifth day within the same workweek.

However, under the law, agency heads have authority to prescribe that employees whose rate of basic pay is in excess of the maximum rate of basic pay of GS-10 shall be granted compensatory time off for irregular or occasional overtime.

The Federal Wage System makes no provisions for granting compensatory time off to employees in lieu of overtime and, therefore, employees covered by that system could not use this option.

C. Use of Annual Leave.

General Schedule employees who do not wish to work overtime hours for compensatory time and Federal Wage System employees may use any annual leave which is available to them. While the taking of annual leave can be at the request of any employee, agencies have the authority to place employees with sufficient annual leave to their credit (including any annual leave that will accrue to the employees during the year) on annual leave at times considered appropriate by management. In exercising the authority to place employees on annual leave, agencies must comply with provisions in negotiated agreements.

Attachment to Bulletin 610-27 (3)

D. Use of Leave Without Pay.

In the absence of earned leave or leave that will accrue during the year, or if an employee prefers not to disturb accumulated leave, an employee can be placed on leave without pay, but only at the employees's request.

E. Furlough.

Furlough, while not precluded, should generally be used as a last resort.

Agencies have the clear obligation to treat employees in a responsible manner; and employees in turn are asked for their understanding and cooperation in enabling their agencies to deal effectively with exceptional situations brought about by the current fuel shortage.